

Rebecca J. Hozubin, Esq.
HOZUBIN, MOBERLY, LYNCH & ASSOCIATES
711 M Street, Suite 2
Anchorage, AK 99501
907-276-5297 - Telephone
907-276-5291 - Facsimile
rebecca@akdefenselaw.com
Alaska Bar No. 9806016

Attorneys for Great Divide Insurance Company

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

GREAT DIVIDE INSURANCE COMPANY, a North Dakota Corporation,)
Plaintiff,)
v.)
DAVID HARTMAN and LINDA HARTMAN, individually and as owners of)
HARTMAN CONSTRUCTION & EQUIPMENT, INC.; CHAD HARTMAN and DEREK HARTMAN,)
individually and as employees of)
HARTMAN CONSTRUCTION & EQUIPMENT, INC.; HARTMAN CONSTRUCTION &)
EQUIPMENT, INC.; MUNICIPALITY OF)
ANCHORAGE; and CASSANDRA MORGAN,)
individually and as the Personal Representative of)
THE ESTATE OF SAMUEL ADAM MORGAN,)
Defendants.) Case No. 3:17-cv-00148-JWS

**STIPULATION TO DISMISS CLAIMS AGAINST THE MUNICIPALITY OF
ANCHORAGE WITHOUT PREJUDICE**

COME NOW the parties, Great Divide Insurance Company and the Municipality of Anchorage, by and through their respective counsel of record, and hereby stipulate and agree, pursuant Fed. R. Civ. P. 41 (a)(1)(A)(ii), that any and all claims asserted, or that could have been asserted, by plaintiff against the Municipality of Anchorage are to be dismissed without prejudice, with the parties to bear their own attorney's fees and costs.

The parties further agree that the Municipality of Anchorage may no longer assert a claim for coverage under the policy of insurance issued to Hartman Construction & Equipment, Inc., a Corporation, for the period 10/08/2014 - 10/08/2015 with policy limits of \$1,000,000 per occurrence and a \$2,000,000 general aggregate, policy number GC960247, at any time after 30 days following the conclusion of all proceedings against the Municipality of Anchorage in *Morgan v. Hartman et al.*, 3AN-17-7156CI.

DATED this 20th day of November 2017.

HOZUBIN, MOBERLY, LYNCH & ASSOCIATES
Attorneys for Plaintiff Great Divide Insurance Company

By: s/ Rebecca J. Hozubin
Rebecca J. Hozubin
Alaska Bar No. 9806016
711 M Street, Suite 2
Anchorage, AK 99501
907-276-5297 - Telephone
907-276-5291 - Facsimile
rebecca@akdefenselaw.com

DATED this 20th day of November 2017.

WILLIAM D. FALSEY
Municipal Attorney

By: s/ Samuel C. Severin
Alaska Bar No. 0606035
632 West 6th Avenue, Suite 730
Anchorage, AK 99501
907-343-4545 - Telephone
907-343-4550 - Facsimile
Severins@muni.org

CERTIFICATE OF SERVICE

This is to certify that a copy of the
aforementioned was served via
CM/ECF on the 20th day of November,
2017 on:

Samuel C. Severin, Esq.
Municipality of Anchorage
Department of Law
Box 196650
Anchorage, AK 99501
Email: severins@muni.org
[Attorney for Defendant Municipality of Anchorage]

Kevin T. Fitzgerald, Esq.
Ingaldson Fitzgerald, PC
813 West 3rd Avenue
Anchorage, AK 99501
Email: kevin@impc-law.com
[Attorney for Defendants Hartman Construction & Equipment, Inc.; Derek Hartman; Chad Hartman; David Hartman; and Linda Hartman]

HOZUBIN, MOBERLY, LYNCH & ASSOCIATES

By: s/ Rebecca J. Hozubin
4824.37/Court Docs/Stipulation to Dismiss w/o Prejudice